

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SARAH COLEMAN,)	
)	
Plaintiff,)	
)	
v.)	No. 4:10CV798 TIA
)	
DENTAL ORGANIZATION FOR)	
CONSCIOUS SEDATION, LLC, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on the Motions to Dismiss by Anthony Feck, DMD, and Michael Silverman, DMD. The parties consented to the jurisdiction of the undersigned pursuant to 28 U.S.C. § 636(c).

Plaintiff, the surviving spouse of John Coleman, filed a Wrongful Death Petition in Missouri state court, asserting three counts: strict liability, negligence, and aggravating circumstances. On April 30, 2010, Defendants Strategic Dentistry, LLC, Anthony Feck, Michael Silverman, Dental Organization for Conscious Sedation, and B2D Marketing, LLC removed the case to federal court. On that same date, Defendant Anthony Feck, DMD, filed a Motion to Dismiss for lack of personal jurisdiction. Defendant Michael Silverman, DMD, filed a similar Motion to Dismiss on May 7, 2010. Both Defendants argue that they do not have sufficient minimum contacts with the State of Missouri and therefore this Court lacks personal jurisdiction over them. In response, Plaintiff claims that Defendants Feck and Silverman have sufficient contacts with Missouri to support personal jurisdiction. Alternatively, Plaintiff requests that the Court allow the parties to conduct limited discovery on the jurisdictional issue.

Upon consideration of the Motions to Dismiss by Defendants Feck and Silverman, the Plaintiff's Memoranda in Opposition to the Motions to Dismiss, and Defendants' Reply Memoranda, the undersigned finds that limited discovery is warranted. The Court will stay ruling on the Motions to Dismiss until after the conclusion of said discovery and the filing of any supplemental memoranda and exhibits.

Accordingly,

IT IS HEREBY ORDERED that the parties shall conduct limited discovery related to the jurisdictional issues raised in the Motions to Dismiss filed by Defendants Feck and Silverman.

IT IS FURTHER ORDERED that the parties shall jointly file a limited discovery schedule no later than November 10, 2010.

IT IS FINALLY ORDERED that the Motions to Dismiss for Lack of Personal Jurisdiction [Doc. ## 2, 8] are **STAYED** until further notification by the parties.

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 3rd day of November, 2010.